

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RONALD BRENNAN JR.,

Plaintiff,

v.

ANTHONY ASTON *et al.*,

Defendants.

CASE NO. C17-1928-JCC

ORDER

This matter comes before the Court on the report and recommendation of the Honorable Michelle L. Peterson, United States Magistrate Judge (Dkt. No. 286). Plaintiff has not filed objections to the report and recommendation. Having thoroughly considered the report and recommendation and the relevant record, the Court finds oral argument unnecessary and hereby ORDERS that:

1. The report and recommendation (Dkt. No. 286) is APPROVED and ADOPTED;

2. Defendant Kimberly Parker's motion for summary judgment (Dkt. No. 236) is GRANTED. Plaintiff's claims against Ms. Parker regarding religion are DISMISSED without prejudice for failure to exhaust, and his First Amendment claim against her is DISMISSED with prejudice.

3. Defendants Captain Daniel Stites, Lieutenant Brett Sundstrom, Lieutenant Clinton Moll, Sergeant Robert Ogawa, Sergeant Scott Lewis, and Sergeant Bernard Moody's motion for

1 summary judgment regarding Plaintiff's Fourteenth Amendment conditions of confinement
2 claims against them (Dkt. No. 244) is GRANTED. These claims are DISMISSED without
3 prejudice for failure to exhaust.

4 4. This order disposes of all the claims against Ms. Parker, Captain Stites,
5 Lieutenant Sundstrom, Sergeant Ogawa, Sergeant Lewis, and Sergeant Moody, and these
6 Defendants are DISMISSED from the lawsuit. Plaintiff's remaining claim against Lieutenant
7 Moll will be addressed in a subsequent order.

8 5. The Clerk is DIRECTED to send copies of this order to the parties and to Judge
9 Peterson.

10 DATED this 15th day of May 2020.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE